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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,331	03/25/2004	Kit S. Lam	02307W-131510US	1374
20350	7590	03/09/2007	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			LIU, SUE XU	
TWO EMBARCADERO CENTER			ART UNIT	PAPER NUMBER
EIGHTH FLOOR			1639	
SAN FRANCISCO, CA 94111-3834				
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
30 DAYS		03/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO. 10811331	FILING DATE 3/25/2004	FIRST NAMED INVENTOR LAM ET AL.	ATTORNEY DOCKET NO. 02307W-131510US
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EXAMINER

Sue Liu

ART UNIT	PAPER
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1639 20070301

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice of Non-Responsive Amendment

1. Applicant's election of Group I (Claims 1-21 and 28) with traverse in the reply entered on 11/27/2006 is acknowledged. Applicant's election of species with traverse (Reply, p. 12+) is also acknowledged. Applicant's traversal over the Restriction Requirement will be addressed in the First Action on the Merits.
2. The reply entered on 11/27/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants did not fully respond to the Restriction Requirement. Specifically, Applicants did not fully respond to the "Species Election" on pp. 5+ of the previously mailed Restriction Requirement.

For example, Applicants did not specifically elect a "single specific scaffold" (Species election A. ii; Restriction Requirement, p. 6). It is not clear which part of the structure "c" on p. 13 of the Reply is the "scaffold". The instant specification and the claims define the "scaffold" to have "at least two scaffold functional groups, and wherein at least two coding tag precursors, each comprising a coding functional group and a coding linker ..." (Spec. pp. 4-5). And the instant claims also require that the "scaffold" to have at least two functional groups (G1, G2, etc.). However, the elected species does not appear to possess the required "scaffold" with its functional groups. It is also not clear what is the elected "scaffold linker".

In addition, applicants in the Reply, also state that the elected species read on Claims 1-6, 8-18, 20 and 29 (p. 15 of the reply). However, applicants are requested to elect a single specific species for each of the categories. For example, Claims 8-12 are drawn on various species that are different from each other. It is not clear which species the elected structure "c" reads on. As an example, the general formula (especially, the "scaffold") recited in Claim 8 is different from the one in Claim 9 or in Claim 10. Applicants are respectively requested to clearly indicate the specific components and the corresponding general formula as recited in the claims.

It is also noted that applicants elected "streptavidin, protein kinase, etc." as the target, which is not in accordance with the requirement for "a single specific target". Applicants are requested to elect A SINGLE SPECIFIC target.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Liu whose telephone number is 571-272-5539. The examiner can normally be reached on M-F 9am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Schultz can be reached at 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JON EPPERSON
PRIMARY EXAMINER

